

DOCKET NO. 3843-002-27 CONT



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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

IN RE APPLICATION OF: DAVID McCRAY PEELE  
SERIAL NO.: 09/735,177  
FILING DATE: DECEMBER 12, 2000  
FOR: TOBACCO PROCESSING

ART UNIT: 1731  
EXAMINER: WALLS, DIONNE  
*#13*

**INFORMATION DISCLOSURE STATEMENT**

ASSISTANT COMMISSIONER FOR PATENTS  
PO BOX 1450  
ALEXANDRIA, VA 22313-1450

SIR:

Star Scientific has sued Reynolds (Real Party in Interest for Applicant Peele) for patent infringement of US Patent 6,202,649, already of record in this case. Throughout the proceeding in the litigation, Star Scientific, Inc. has indicated their disbelief of the NOx mechanism of TSNA formation. Included in this IDS is a response to an interrogatory, where Star Scientific referred to the NOx mechanism of TSNA formation as "scientifically untenable." Also included are portions of deposition testimony of the present inventor (Dr. David Peele) and his colleague (Dr. Tim Nestor) during which an attorney representing Star Scientific questioned the reliability of experiments performed by Drs. Peele and Nestor to demonstrate that NOx is primarily responsible for TSNA formation in flue cured tobacco in direct fired barns. The required government fee of \$180.00 is attached hereto.

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180.00 OP

Respectfully submitted,

PIPER RUDNICK LLP

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(Modified)

U.S. DEPARTMENT OF  
COMMERCE  
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3843-002-27 CONT

SERIAL NO.

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APPLICANT

DAVID McCRAY PEELE

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GROUP ART UNIT

1731

LIST OF REFERENCES CITED BY APPLICANT  
(Use Several Sheets if Necessary)RECEIVED  
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## U.S. PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB CLASS	FILING DATE IF APPROPRIATE
	AA						
	AB						
	AC						
	AD						
	AE						
	AF						
	AG						
	AH						
	AI						
	AJ						

## FOREIGN PATENT DOCUMENTS

		DOCUMENT NUMBER	DATE	COUNTRY	TRANSLATION YES      NO
	AK				
	AL				
	AM				
	AN				
	AO				

## OTHER REFERENCES (Including Author, Title, Date, Pertinent Pages, Etc.)

AP	"Plaintiff's Response to Defendant's Second Set of Interrogatories", Star Scientific, Inc. v. R.J. Reynolds Tobacco Company, Case No. AW 01-CV-1504, April 8, 2002.
AQ	"Deposition of David Peele", Star Scientific, Inc. vs. R.J. Reynolds Tobacco Company, Case No. AW 01-CV-1504/Case No. AW 02-CV-2504, Certified Copy, November 14, 2002.
AR	"Deposition of Tim Nestor", Star Scientific, Inc. vs. R.J. Reynolds Tobacco Company, Case No. AW 01-CV-1504/Case No. AW 02-CV-2504, Original, August 29, 2002.
AS	

EXAMINER

DATE CONSIDERED

\*EXAMINER: Initial if reference is considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.